

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ANTHONY C. KAVANAUGH, #2214786,

Plaintiff,

v.

NORRIS JACKSON, ET AL.,

Defendant.

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CIVIL ACTION NO. 6:19-CV-00150-RWS-KNM

**ORDER**

Plaintiff Anthony Kavanaugh, a former inmate confined within the Texas Department of Criminal Justice (TDCJ) proceeding *pro se*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law and recommendations for the disposition of the case in accordance with 28 U.S.C. § 636.

On January 31, 2022, Judge Mitchell issued a Report and Recommendation recommending that Plaintiff's motions for a preliminary injunction (Docket Nos. 33, 38) be denied as moot given Plaintiff's release from imprisonment. Docket No. 41. A copy of this Report was sent to Plaintiff at his last-known address. To date, however, Plaintiff has not filed objections to the Report.

Because no objections to the Magistrate Judge's report have been filed, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C. § 636(b)(1)(C); *Douglass v. United Services Automobile Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the pleadings and the Magistrate Judge's Report and

agrees with the Report. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants.’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). It is accordingly

**ORDERED** that the Report and Recommendation of the United States Magistrate Judge (Docket No. 41) is **ADOPTED** as the opinion of the Court. It is further

**ORDERED** that Plaintiff’s motions for a preliminary injunction (Docket Nos. 33, 38) are **DENIED AS MOOT**.

**So ORDERED and SIGNED this 24th day of February, 2022.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE